



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/644,632

08/19/2003

A. David Shay

17836-55730

7523

24728 7590 02/01/2008
MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

MAIL DATE

DELIVERY MODE

02/01/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/644,632	Applicant(s) SHAY, A. DAVID	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 223-291 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 223-291 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 223-291 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 223-226, 234-242, 247-254, 260-261, 278-282, 287-291 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes.

Regarding Claim 223, 238, 251, 278, Beck discloses the assigning a unique user identifier(Host ID) to each authorized user of the computer network see Fig. 2 item 10a, 10b, 10c; upon initiation of a TCP/IP communication attempt initiated by a specific authorized user for access to a specific resource within a computer network, wherein the TCP/IP communications attempt, and inserting the unique user identifier into the header of the packet see Fig. 3 item 46 & Fig. 5 item step 92; extracting the unique user identifier from the header of packet to identify the authorized user and granting/denying the authorized user the access to specific resource as function of unique user identifier see Fig. 5 item 104, 108. But Beck fails to explicitly disclose the intercepting and the

packet being a synchronization packet. However, Hayes discloses the intercepting and the packet being a synchronization packet see Fig. 3 & Par. 0029. It would be obvious to one having ordinary skill in the art at the time of the invention to include the intercepting and the packet being a synchronization packet in the invention of Beck in order to perform authorization at the early stages of communication as taught in Hayes see Par. 0012.

Regarding Claim 224-225, 239-240, 252-253, 263-264, 266, 279-281, Hayes discloses the embedding of identifiers in the sequence number field and acknowledgement field see Fig. 1 item "Identification" & Par. 0043 & Abstract & Par. 0039.

Regarding Claim 226, 241, 254, 265, 267, 282, Hayes discloses the non-zero value of the acknowledgement field see Par. 0039.

Regarding Claim 234-237, 247-250, 260-261, 287-291, Beck discloses the application and the resources being available at a node see Col1 Ln 41-55 & Col 2 Ln 1-5.

Claims 227-229, 242, 255-256, 283-285 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes and further in view of US Patent 6980658 to Rezailifar et al. (hereinafter Rezailifar).

Regarding Claim 227-229, 242, 255-256, 284-285, Beck nor Hayes explicitly discloses the encrypting of username for encoding into packets. However, Rezailifar discloses the encrypting of username and encoding into the packets see Fig. 3 & 5. It would be obvious to one having ordinary skill in the art at the time of the invention to include the encrypting of username and encoding into the packets in the invention of Beck in order to secure the packets on a common network as taught in Rezailifar see Col 8 Ln 34-44.

Claims 230-233, 243-246, 257-259, 286, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes and further in view of US Patent 6493342 to Breslow et al.(hereinafter Breslow).

Regarding Claim 230-233, 243-246, 257-259, 286, Beck nor Hayes discloses the recording of TCP/IP attempts. However, Breslow discloses the recording of recording of TCP/IP attempts see Fig. 7 item 148 & Fig. 4, 5, 6. It would be obvious to one having ordinary skill in the art at the time of the invention to include the recording of recording of TCP/IP attempts in the invention of Beck in order to store for later use as taught in Breslow see Col 20 Ln 21-39.

Claims 262 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes and further in view of US Patent Publication 2004/0233915 to Lin.

Regarding Claim 262, Beck discloses the assigning a unique user identifier(Host ID) to each authorized user of the computer network see Fig. 2 item 10a, 10b, 10c; upon initiation of a TCP/IP communication attempt initiated by a specific authorized user for access to a specific resource within a computer network, wherein the TCP/IP communications attempt, and inserting the unique user identifier into the header of the packet see Fig. 3 item 46 & Fig. 5 item step 92; extracting the unique user identifier from the header of packet to identify the authorized user and granting/denying the authorized user the access to specific resource as function of unique user identifier see Fig. 5 item 104, 108. But Beck fails to explicitly disclose the intercepting and the packet being a synchronization packet. However, Hayes discloses the intercepting and the packet being a synchronization packet see Fig. 3 & Par. 0029. It would be obvious to one having ordinary skill in the art at the time of the invention to include the intercepting and the packet being a synchronization packet in the invention of Beck in order to perform authorization at the early stages of communication as taught in Hayes see Par. 0012. And further Lin discloses the source identifier being embedded within the header see Fig. 1 item "synchronization source identifier". It would be obvious to one having ordinary skill in the art at the time of the invention to include the source identifier in the

invention of Beck in order to have an understanding of packet source as taught in Lin see Par. 0005.

Claims 268-273 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes and further in view of US Patent Publication 2004/0233915 to Lin and further in view of US Patent 6980658 to Rezailifar et al.(hereinafter Rezailifar).

Regarding Claim 268-273 , Beck nor Hayes explicitly discloses the encrypting of username for encoding into packets. However, Rezailifar discloses the encrypting of username and encoding into the packets see Fig. 3 & 5. It would be obvious to one having ordinary skill in the art at the time of the invention to include the encrypting of username and encoding into the packets in the invention of Beck in order to secure the packets on a common network as taught in Rezailifar see Col 8 Ln 34-44.

Claims 274-277 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6671273 to Beck in view of US Patent Publication 2004/0215771 to Hayes further in view of US Patent Publication 2004/0233915 to Lin and further in view of US Patent 6493342 to Breslow et al.(hereinafter Breslow).

Regarding Claim 274-277, Beck nor Hayes discloses the recording of TCP/IP attempts. However, Breslow discloses the recording of recording of TCP/IP attempts see Fig. 7

item 148 & Fig. 4, 5, 6. It would be obvious to one having ordinary skill in the art at the time of the invention to include the recording of recording of TCP/IP attempts in the invention of Beck in order to store for later use as taught in Breslow see Col 20 Ln 21-39.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron

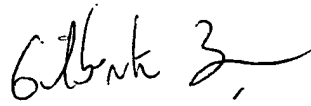
Application/Control Number:
10/644,632
Art Unit: 2132

Page 8

can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NP/
Venkat Perungavoor
Examiner
Art Unit 2132
January 30, 2008


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100